

Officers Report

Planning Application No: 146370

PROPOSAL: Planning application for demolition of poultry houses & associated buildings & erect 4no. dwellings.

LOCATION: Land at 20 Church Street Hemswell Gainsborough DN21 5UQ

WARD: Hemswell

WARD MEMBER(S): Cllr Paul Howitt-Cowan

APPLICANT NAME: Phillip Wood, Moorehouse Farm, Willingham Road, Lea

TARGET DECISION DATE: Extension of Time to 10th August 2023

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant subject to conditions

Description: The site is located to the south of Church Street in Hemswell. A shared access with 20 Church Street runs south and then west to 7 poultry sheds and other buildings associated with egg production. West of the access is the curtilage of a detached dwelling, 18 Church Street. The site is located within an Area of Great Landscape Value and the access itself is located within the Hemswell Conservation Area.

It is proposed to demolish the existing poultry houses and associated structures and to build 4 detached dwellings. The existing access is to be widened to facilitate access which will require demolition of an existing side extension and brick garage and is also on this committee for determination (Ref 146448).

The total area of the site is noted on the application form as being 4475 sq.m (0.448 hectares). The covering letter states the buildings to be demolished comprise 1450m² with the new dwellings totalling 1099.6m²

All the plots are a variation of a single design. The main body of the house measures 15.8m x 8m, with the double garage 6.7m x 6.4m. Eaves height is 5.5m rising to an 8.5m ridge.

Plot 1 (labelled plot 2) is a large two storey 6 bed detached pitched roof house with an attached double garage with a "guest suite" in the roof space, and a covered patio to the rear. A two-storey gable to the rear is proposed. The main facing material is stone and clay tiles are proposed for roofing. Windows will have masonry segmental arches with stone cills. Photovoltaic panels are proposed on the south (rear elevation).

Plot 2 (labelled plot 3) is a handed version of plot 1.

Plot 3 (labelled plot 5) is identical to plot 1.

Plot 4 (labelled plot 6) has the double garage at right angles to front of the main house.

Relevant history:

M00/P/0530: The southern section of the site forms part of a larger site for which permission was granted for 8 dwellings on 18.12.2002.

A start was apparently made on the site which was acknowledged in an email from a planner at West Lindsey District Council dated 4th January 2008. A second email in response to a query was sent on 15th February 2022 from WLDC “*we have records on our files that work commenced on site and the permission is extant*”. Whilst these matters are not legally determinative, nevertheless significant weight is attached to the principle of residential development on the application site.

An application for predevelopment advice was for 5 dwellings was submitted. Detailed advice was provided principally relating to changes in design suggested by the conservation officer and the reduction in the number of dwellings. These were agreed.

Representations:

Representations made in relation to the application, the substance of which are summarised below (full representations can be viewed online)

Chairman/Ward member(s): No comments received.

Hemswell Parish Council: Objections:

This site has not been considered within the Hemswell and Harpswell Neighbourhood Plan (the Plan), as it recognises part of the site as having extant planning permission under M00/P/0530 for the erection of 8 dwellings granted in December 2002. It is noted that at that time, a proposed access to the site via Church Street was rejected as it was deemed ‘not acceptable’ and ‘well below acceptable standards’.

It is noted that this application has reduced the number of planned dwellings and increased the size of each dwelling from the extant planning permission. This will negatively impact the availability of smaller affordable housing identified in the Plan which is a particular issue for those of our residents wishing to down-size or purchase their first home.

Contrary to Neighbourhood Plan Policies:

Policy 3: Windfall Developments.

Policy 5: Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area.

Policy 6: Design Principles

Policy 7: Protecting Non-Designated Heritage Assets

Contrary to the General Design Principles of the Hemswell Village Design Principles 2019 document.

Would negatively impact the character and setting of many of the village's historic assets and existing traffic movement. This proposal would create an isolated development, impermeable to the remainder of the village and not in keeping with the open accessible character of the village.

Response from agent to P Council comments dated 14th April 2023

The application site (Planning Reference No.146370) forms part of an extant planning application (Planning Reference:M00/P/0530 for the erection of 8 dwellings granted in December 2002) as detailed within this application and verified as extant by West Lindsey District Council as stated in its email dated 22nd February 2022. This is also verified by the recently adopted Hemswell and Harpswell Neighbourhood Plan as stated in para. 4.17 and on Map 14. This application is for 4 proposed dwellings and limits development to land currently occupied by an existing/established use of a poultry/egg farming business containing 7 No. Poultry houses and a large number of associated auxiliary buildings within the application site. The existing access which also serves 20 Church Street discharges onto the highway.

At an early stage of the design process (February 2022), we sought informal advice from Lincolnshire County Council as the Highway Authority on the initial concept, with further informal advice being sought during the Preliminary Application stages of the application. This information forms part of the planning application details and was available to the Parish Council when making its comments. We therefore draw the Local Planning Authority's attention to the Highway Authority's formal comments.

With reference to affordable housing the Neighbourhood Plan at 2.1.19 states: *"The CLLP in policy LP11: Affordable Housing sets the requirements for developments of 11 units or more to deliver 20% affordable housing"; it further states that "Given that the threshold for affordable housing is delivered on sites of more than 11 dwellings and that Hemswell is only looking to allocate small allocations, it is unlikely that any affordable housing will be required and delivered. It should also be noted that the community did not identify a desire to deliver any additional affordable housing within Hemswell village. Consequently, this NP does not seek to address this requirement"*.

We would like to draw attention to Map 14 Sites assessed in the AECOM Site Assessment Report where the application site forms part of Site CFS10 which refers to the extant permission of planning reference: (M00/P/0530) and to Para. 4.16 and 4.17 where it again refers to the site as extant. We can therefore suggest that as the use of the application site forming extant permission should not be considered under Policy 3 Windfall

Local residents:

18 Church Street – object.

I do not want traffic up and down the side of my house. Also, with the existing wall being left as it is, I also do not want people looking into my garden /

property. With also the possibility of the conifers being taken down, again my privacy will be gone. I have no issues with the extension to the existing property, but in regard to the additional housing being erected I am not happy with it.

8 Church Street – object.

An application for the development of the old chicken sheds was first mooted over 20 years ago (reference M00/P/0530). The intended site was much larger and extended up to Weldon Road and included 10 new properties. At the time, access on to Church Street was considered unsuitable as it would form a crossroad at a busy junction near the maypole and Village Hall. 5 dwellings on this plot of 4 bedroomed houses would each have at least 2 cars. Delivery vehicles would also require access. I consider this entrance off Church Street to still be inappropriate.

Pear Tree House 17a Brook Street-

I have some serious concerns regarding the proposed access to the 4 proposed new dwellings. The site of these 4 new properties is on half of the extant planning permission M00/P/0530. This planning application was rejected by WLDC but then passed at the appeal stage by an inspector. M00/P/0530 initially proposed accessing the site from Church Street adjacent to No.20, the same as the two new applications. The planning assessment by LCC in 2000 noted that the access onto Church Street was 'not acceptable as the visibility was restricted due to existing buildings to a degree well below acceptable standards'. I note that the new applications state that the access road will remain unadopted by LCC, this is clearly due to the fact that the proposed access would not meet the appropriate standards for adoption by the highways authority.

LCC Highways: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Planning Conditions: In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 20 The development hereby permitted shall not be occupied before a frontage footway, to connect Forge Cottage to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

Highway Condition 21 No part of the development hereby permitted shall be occupied (apart from those works identified on drawing number P1-01 or as specified) before the works to improve the public highway (by means of a tactile crossing from the existing footway to the newly constructed footway, across the new vehicular access, and a second tactile crossing from the newly constructed footway to the existing footway north of Church Street) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

Conservation Officer (WLDC):

24.07.2023: I am pleased to hear that there will now be no alterations to the boundary wall or to the access. This will conserve the character of the CA which is a positive alteration to the proposal that I can happily support.

20.04.23: 20 Church Street and the adjoining land to the south are located within the Hemswell Conservation Area (CA) with the poultry farmland outside the southern border of the CA.

Within the CA there are a number of locally important heritage buildings, including 20 Church Street itself. Those in close proximity are Forge House; 7, 9, 11-15 Church Street; and The Stud Outbuildings. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

Located to the east of the site is the grade II* listed Church of All Saints, just north of the access is the grade II listed Maypole, and to the east is the grade II listed 10-16 Church Street & The Old Post Office.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This proposal excludes 20 Church Street which is noted as a separate application to this one.

The poultry buildings and associated buildings are outside of the CA and have no historic or architectural significance, these buildings are considered to have a negative impact upon the view of the CA from the south.

The removal of these buildings would be supported by section O of Policy S57 in the Central Lincolnshire Local Plan (CLLP, 2023).

The four new dwellings proposed are designed to have a traditional farmhouse style appearance on the northern elevation (facing the CA). This offers a positive visual impact which is in character of the traditional settlement. To the southern elevation, there is more of a modern visual with the use of solar panels. Although this would not be in character of the CA the current views of the CA from the south are blocked by mature trees and the

views of the modern poultry buildings. The modern design with traditional features is considered a positive impact upon the setting and views from the south and the addition of renewable energy sources offer a public benefit. The design would be supported by policy S57 as this would enhance the views affecting the CA.

To allow for new dwellings there is a requirement for a safe access. The current access is a stone wall with a timber 4 bar gate. The stone walls are a significant feature to the CA which are highlighted in section 4.11 of the Conservation Area Appraisal (CAA). The stone walls to the front of 20 Church Street are a positive feature in the CA which also attributes to the multiple heritage assets in the proximity.

The proposal is to remove the ivy growing on the walls which is a positive to preserve the built structure and allow for the built heritage to be visible. The ivy will be growing through the wall, loosening the stone which would eventually lose its structural integrity. Removal of this will preserve the wall.

However, the walls are proposed to be demolished at the access to extend the opening and to also lower the wall at the entrance to allow for better vision. This will have a negative impact upon the CA and will have the most impact upon the listed Maypole as it will remove part of the built historic built form to create a modern access for the development.

The proposal does retain the stone wall in form but alters the opening and height to the wall meaning the impact to this significant feature is minimal. This will require further detail, but the principle is acceptable.

Additionally, the proposal seeks to remove the green space in front of the boundary wall at 20 Church Street for another pedestrian walkway. With a path already situated on the west side of the access, I would consider this to be an unnecessary harm. The green space can be retained as there is a safe pedestrian access is already in situ. I would request this part of the proposal to be removed to reduce the harm to the access.

Overall, the development of the properties in the poultry farmland is considered to offer a positive impact as the designs will harmonise with the existing CA whilst being sited on the outskirts of the boundary. The change to the access will cause harm to the CA but this harm is minimal, and the alterations do not affect how the historic core is read or alter the character of the street. Under paragraph 206 of the National Planning Policy Framework (NPPF, 2021) proposals that preserve the CA should be treated favourably. In this instance, although there is minor change to the historic wall, I consider this to preserve the wall and better enhance the aesthetic by removing the ivy which will be slowly destroying the stone wall. The proposal will have a minor negative impact upon the setting of the listed buildings and the important buildings as it slightly alters the form of the boundary wall, but this impact is mitigated through the design and preservation of the wall which is currently neglected. Policy S57 of the CLLP

would support the application as it preserves the CA and better enhances the visual of the significant boundaries.

My only issue is with the additional footpath. I would request the Planning Officer to seek the advice of the Highways Department to see if this can be removed.

I have no objection to this application subject to the following conditions:

1) Prior to any work commencing, all access details and the new road, shall be submitted in full and approved in writing by the Local Planning Authority. The details shall include, but not be limited to:

- Elevation and section plan with exact measurements
- Materials and finishes.
- New and existing footpaths
- A methodology for the work, including safe storage and reuse of the materials

2) Prior to any work commencing, all final boundary treatments shall be submitted in writing to the Local Planning Authority for approval including a methodology for the safe maintenance and preservation of the stone walls.

3) Prior to development above ground level external materials and finishing details shall be submitted to the local planning authority for written approval. These details will include all items already highlighted in the elevation drawings submitted in this application.

4) Prior to development above ground level a sample panel of the external wall stonework including the brick headers, shall be produced to show the wall type, size, colour, finish, mortar mix, joint thickness, and finish profile. This must be approved in writing before works commence and a sample panel shall remain on site for the duration of the work.

5) Prior to installation, all joinery details at a scale of 1:20 for the windows and doors shall be submitted in full and approved in writing by the Local Planning Authority.

LCC Archaeology:

The proposed development is located within the historic core of the medieval settlement of Hemswell, and close to the site of the village's medieval parish church that dates from the early 13th century. Medieval and post medieval remains have also previously been uncovered during archaeological works associated with development nearby to the west of Weldon Road. Development on this site therefore has the potential to disturb any remains from the village's medieval and post-medieval history, which may survive beneath the existing chicken sheds. It should also be noted that the previous planning consent (MOO/P/0530) from 2000 was also subject to archaeological conditions.

Recommendation: Prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by appropriate conditions to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features. This should include grubbing out of the foundations of the existing chicken sheds and any other demolition works beneath the current ground surface. “[Local planning authorities] require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible” National Planning Policy Framework, section 16, paragraph 205.

Lincolnshire Wildlife Trust:

Lincolnshire Wildlife Trust wishes to place a holding objection in regard to the above planning application until further ecological information has been submitted and we are satisfied that there will be no significant negative impacts on protected or priority habitats or species as a result of the proposed development.

With the site being previously developed, we see no reason why the Proposed Site Plan would not deliver the minimum of 10% Biodiversity Net Gain now required under the Environment Act 2021. The applicant has also failed to submit a construction method plan that details how works will create as minimal disturbance as possible during the construction phase of the proposed development.

Lincolnshire Wildlife Trust would like to request that no construction take place on site until i) all the required survey work has been undertaken following Natural England requirements ii) a Construction Environmental Method Plan, or equivalent document, is submitted by the applicant that states what measure will be imposed to mitigate against any and all undue damage to protected species and existing habitats on site.

Lincolnshire Bat Group:

Thank you for referring this ecological report to Lincolnshire Bat Group for comment. This is a sound report, and it is noted that further surveys will be needed this summer as evidence of bats has been found.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Hemswell and Harpswell Neighbourhood Plan (made 06.03.23) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan adopted April 2023 (CLLP)***

Relevant policies of the CLLP include:

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Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S4: Housing Development in or Adjacent to Villages

Policy S5: Development in the Countryside

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

Policy S60: Protecting Biodiversity and Geodiversity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- ***Hemswell and Harpswell Neighbourhood Plan (NP)***

Relevant policies of the NP include:

Policy 3: Windfall Development (in Hemswell Only)

Policy 5: Protecting the Wider Landscape Character and Setting of the Neighbourhood Plan Area

Policy 6: Design Principles

Policy 7: Protecting Non-Designated Heritage Assets

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/hemswell-harpswell-neighbourhood-plan>

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/directory-record/61697/minerals-and-waste-local-plan-core-strategy-and-development-management-policies>

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021.

***National Planning Practice Guidance
National Design Guide (2019)
National Design Code (2021)***

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Main issues

Principle

Hemswell is defined as a small village by policy S1. S4 sets out:

“Large, Medium and Small Villages, as defined in the Settlement Hierarchy in Policy S1, will experience limited growth to support their role and function through allocated sites of 10 or more dwellings in the Local Plan, sites allocated in neighbourhood plans, or on unallocated sites in appropriate locations* within the developed footprint** of the village that are typically. up to 10 dwellings in Large Villages and Medium Villages; and • up to 5 dwellings in Small Villages. Proposals on unallocated sites not meeting these criteria will not generally be supported unless there are clear material planning considerations that indicate otherwise. (Officer underlining)

The number of dwellings proposed is within the limit for small villages set out above.

The definition of “appropriate locations” in the glossary to the CLLP is:

“the site if developed would.

- *retain the core shape and form of the settlement;*
- *not significantly harm the settlement's character and appearance; and*
- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement”*

Core shape and form of the settlement

Assistance in answering this question is provided by the AECOM assessment to inform the Neighbourhood Plan (extract below) which is considered a material consideration. This reached the conclusion that the development of the site which was part of a larger area would retain the core shape and form of the settlement.



The western boundary of the application site is just beyond the last existing poultry shed and the southern boundary is slightly below the rear (south) of the existing sheds. It would be reasonable to conclude therefore that the smaller application site would retain the core shape and form of the settlement.

Character and appearance of settlement

The site is not readily visible from public vantage points, with no adjacent rights of way or bridleways. The site will be screened by existing dwellings that face onto Church Street, distance, and topography. Limited views will be available from the access at a distance of approximately 80m. On this basis no harm is considered to arise to the character and appearance of the settlement.

Character and appearance of the surrounding countryside or rural setting:

Within an Area of Great Landscape Value (AGLV) policy S62 requires amongst other matters the maintenance of landscape quality and its enhancement. The existing character of the site is made up of poultry sheds and areas of hardstanding. The removal of these would enhance landscape quality and the dwellings whilst large do not project beyond the footprint of the existing poultry sheds and it is intended to reinstate a hedgerow along the southern boundary. The details will need to be conditioned. There is dense vegetation /trees within and beyond the application site boundaries to both the east and west. The building form of the extant permission extends further into the countryside than the application site. On this basis and subject to the imposition of conditions as discussed it would not be considered harmful to the character and appearance of the countryside

The site can therefore be considered an appropriate location for development.

Developed footprint:

Developed footprint of a settlement is defined as the continuous built form of the settlement and it is acknowledged that this does not include "agricultural buildings and associated land on the edge of the settlement. Nevertheless, the extant permission is considered a material planning consideration as set out in S4 above that would allow development to be supported. It is therefore considered that the principle of development of the site can be supported.

Impacts on Heritage Assets

20 Church Street and the adjoining land to the south are located within the Hemswell Conservation Area (CA) with the poultry farmland outside the southern border of the CA.

Within the CA there are a number of locally important heritage buildings, including 20 Church Street itself. Those in close proximity are Forge House; 7, 9, 11-15 Church Street; and The Stud Outbuildings. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local

Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

Located to the east of the site is the grade II* listed Church of All Saints, just north of the access is the grade II listed Maypole, and to the east is the grade II listed 10-16 Church Street & The Old Post Office. The entrance to the site falls within the Hemswell Conservation Area.

Amendments to the proposal have been submitted to retain the green space in front of the boundary wall and to remove the additional path. This would also avoid demolition of the front boundary wall. These amendments would be in conflict with the conditions suggested by Highways. As of writing their response is awaited.

Due to this the proposal should be addressed as it currently stands. Although the poultry buildings and associated buildings are outside of the Conservation Area (CA) and have no historic or architectural significance, these buildings are considered to have a negative impact upon the view of the CA from the south. With their removal the proposals can therefore be considered an enhancement to Hemswell Conservation Area.

The conclusion reached by the conservation officer is set out below and there is no reason to depart from these findings:

Overall, the development of the properties in the poultry farmland is considered to offer a positive impact as the designs will harmonise with the existing CA whilst being sited on the outskirts of the boundary. The change to the access will cause harm to the CA but this harm is minimal, and the alterations do not affect how the historic core is read or alter the character of the street. Under paragraph 206 of the National Planning Policy Framework (NPPF, 2021) proposals that preserve the CA should be treated favourably. In this instance, although there is minor change to the historic wall, I consider this to preserve the wall and better enhance the aesthetic by removing the ivy which will be slowly destroying the stone wall. The proposal will have a minor negative impact upon the setting of the listed buildings and the important buildings as it slightly alters the form of the boundary wall, but this impact is mitigated through the design and preservation of the wall which is currently neglected. Policy S57 of the CLLP would support the application as it preserves the CA and better enhances the visual of the significant boundaries.

On this basis it would be reasonable to conclude that it would be in accordance with policy S57 of the Central Lincolnshire Local Plan.

Archaeology

Due to potential for archaeological remains on the site conditions will be imposed as recommended by LCC Historic Services. Subject to this it is considered to be in accordance with policy S57.

Design, size, and scale of the dwellings

These are described at the start of the report and the conservation officer comments “the four new dwellings proposed are designed to have a traditional farmhouse style appearance on the northern elevation (facing the CA). This offers a positive visual impact which is in character of the traditional settlement. The design is considered appropriate to its context and would accord with policy S53 and S57 of the Central Lincolnshire Local Plan.

Impacts on residential amenity

The closest residential dwelling is 18 Church Street, a detached house within a large plot. It is located to the west of the access to the site and faces on to it. Concerns have been expressed as to the loss of privacy. This is noted however this not a new access being created rather it will have a larger number of cars in comparison to use by farm vehicles. The southern boundary (rear) of 18 is screened by high conifers. If these are removed it will open up views of the garden from the front elevation of 2 of the dwellings, however these will be at distances of approximately 18 metres which are considered acceptable. Conditions will be imposed requiring details of boundary treatments to be submitted to and approved in writing by the Local Planning Authority. Subject to imposition of this condition it is not considered to result in a significant impact on existing neighbours that would warrant refusing permission. It is considered to be in accordance with policy S53 of the Central Lincolnshire Local Plan.

Highway Safety:

Objections from third parties have been raised on this issue. No objections are raised by the Highways Authority. Policy S47 states “development that has severe transport implications will not be granted planning permission”. Policy S49 Part B: All Other Locations” sets out parking standards and it is in accordance with these. It is considered that highway safety does not represent a reason to withhold consent. It is considered to be in accordance with S47 and S49.

Landscaping and Biodiversity.

Policy S60 seeks to protect and enhance biodiversity. An Ecological appraisal was submitted during the course of determination. The conclusion and recommendations are reproduced below:

“There are no Statutory or Non-statutory sites nearby that could potentially be impacted by the removal of the poultry sheds and construction of new residential housing within the area surveyed. The survey area comprises buildings, hardstanding, small areas of amenity grassland and ruderal vegetation. It is now redundant, and the proposal is to remove the existing buildings and provide land for residential development. The existing house facing Church Street is to be renovated and modernised.

The area surveyed contains no significant ecological features and the proposals shown appear to retain the majority of the boundary vegetation which provides screening to the site area. No evidence of any significant locally rare plants or plant communities within or around the site area

surveyed was identified during the survey. Assuming the boundary vegetation is retained as indicated on the conceptual development plan, it is considered likely that development of the site area surveyed could be carried out in a manner that does not have any significant impact on local biodiversity. The inspection completed in January 2023 and subsequent bat activity surveys identified the following evidence / potential for protected species to be present within the survey area:

Birds: There is negligible potential for nesting birds to be present within the interior of the area and, with the exception of feral pigeon, no evidence of any nesting activity associated with any of the building. The Leylandii screen planting has potential to support nesting birds and if any sections need to be trimmed this should be completed outside of the nesting season or be preceded by an inspection by an Ecologist to ensure no nesting birds are present or determine what mitigation measures to protect nesting birds are required.

Bats: The proposed development retains the existing outbuilding where a solitary Brown Long-eared bat is using the cavity between the roof and the wall top as a day roost. The roof is lined and the retention of this building without any structural alteration should ensure the solitary Brown Long-eared bat can continue to access and use this building as a day roost.

Badger: The presence of this species in the area where the new development is being proposed is unlikely but since there are records of foraging by badger in this area and the site is accessible from the open agricultural land to the south and west, measures to protect these species from harm during construction activities will be required.

Given the location of the area surveyed on the edge of the village connected to open agricultural grazing land to the south and west, there is potential for significant ecological enhancements to be included within the scheme to enhance biodiversity.

- Bat boxes and bird boxes could be erected at suitable positions affixed to the any new buildings constructed on the site.
- Refugia suitable for hedgehogs and reptiles could be constructed in suitable positions in landscaped areas where these will be accessible to these species.
- Any landscape planting should utilise native species to promote diversity.

Following receipt of the report the applicants withdrew the proposed replacement of clay pantiles on Building B3 and will retain the existing concrete tiles. This will leave the outbuilding as it is and avoid impact on its use as a day roost. Works on the site together with biodiversity enhancement measures will be conditioned as set out in the report.

Policy S61 of the CLLP requires “all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the

construction phase and ongoing site management. Policy S61 goes on to state that “All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”.

It also states that “The following part of the policy applies unless, and until, subsequently superseded, in whole or part, by national regulations or Government policy associated with the delivery of mandatory biodiversity net gain arising from the Environment Act 2021. Where conflict between the policy below and the provisions of Government regulations or national policy arises, then the latter should prevail.

The mandatory requirement is expected to come into place in November 2023 for all but exemptions and “small sites”. Small sites are defined as:

(i) For residential: where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares.

The Government’s 2023 response to the 2022 BNG consultation set out that the transition period for small sites will be extended to April 2024. The delay to implementing BNG for small sites is to lessen initial burdens and allow a longer period for developers and local planning authorities to adapt and prepare for the high volume for minor applications. On this basis there would not be a requirement to deliver 10% as requested by the Lincolnshire Wildlife Trust. Nevertheless, this does not prevent biodiversity enhancement being provided. This will be the subject of conditions. On this basis it is considered that the proposal would accord with policy S60.

Flood risk and drainage

Sustainable drainage systems are recommended where practical and for development not to increase flood risk. The site is in flood zone 1 (Low Probability Land having a less than 1 in 1,000 annual probability of river or sea flooding) therefore the main considerations are the means of foul and surface water drainage. Surface water is proposed to be dealt with on site through the use of soakaways which is a sustainable means of disposal with foul waters to the mains sewer. This is considered acceptable although further details will be required by condition. It is considered to be in accordance with policy S21 of the Central Lincolnshire Local Plan

Energy Efficiency

Local policy S6 and S7 of the CLLP sets out design principles for efficient buildings and reducing energy consumption. Local policy LP7 states that: “Unless covered by an exceptional basis clause below, all new residential development proposals must include an Energy Statement which confirms in addition to the requirements of Policy S6”. This will be assisted by the solar panels on the southern elevation of all the dwellings. As the application was submitted almost two months before the adoption of the CLLP it would not be

considered reasonable to ask them to retrospectively address this requirement.

Mineral Safeguarding

A Minerals Resource Safeguarding Assessment has been submitted. No objections have been received from the Minerals Authority. The Report submitted states: *A Mineral Planning Authority would apply appropriate standoff distances from sensitive receptors to the limit of excavation associated with a commercial limestone quarrying operation. A minimum standoff distance of 100m would likely be applied by a Mineral Planning Authority from residential dwellings to the limit of excavation. Drawing No. HEMSWELL2212-3 has been prepared having regard to the potential for the development of the site (which itself is not underlain by mineral of potential economic value) to result in the sterilisation of any mineral resources present within a standoff distance which might be applied by LCC following development. Notwithstanding that no mineral of any potential economic value either underlies the site or is present within 300m of the site, it is clearly evident from Drawing No. HEMSWELL2212-3 that even if a mineral resource was present within a 50m, 100m or even a 200m standoff distance from the site, any such mineral resource will have already been sterilised by the present residential dwellings in Hemswell.* On this basis it would be reasonable to conclude that it would not sterilise a minerals resource

Parish Council objections:

Conflict with Neighbourhood Plan Policies:

Policy 3 – Reference in this policy refers to the previous CLLP policies. This has been assessed against the current policies and found to be acceptable.

Policy 5 – Reference in this policy refers to previous CLLP policies.

Nevertheless, the impact on the character and appearance of the site and wider setting is considered acceptable.

Policy 6 – The design of the proposal is considered acceptable and presents *“a traditional farmhouse style appearance on the northern elevation (facing the Conservation Area).*

Policy 7 – There is no significant impact on Heritage Assets. These do not represent a reason to withhold permission.

Other matters

Planning balance and conclusion

This is an application for 4 dwellings in a location which has an extant permission for 8 dwellings which is a matter afforded major weight in the positive determination of this application. No adverse impacts are considered to arise with the proposal. Heritage assets will be enhanced. Highway safety will not be compromised. The impacts on the character and appearance of the site and wider area are considered acceptable. Satisfactory drainage arrangements can be provided and impacts on neighbours fall within acceptable levels. Biodiversity will be enhanced.

Recommendation: Grant Permission subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. Before the development hereby permitted is commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. Construction shall be carried out in accordance with the approved CEMP at all times. The CEMP shall include the following matters:

- a) Details of construction access.
- b) details of parking and turning for vehicles of site personnel, operatives and visitors.
- c) Loading and unloading of plant and materials.
- d) Storage of plant and materials.
- e) Programme of works (including measures for traffic management and operating hours). No works on the site, including works of preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or Public Holidays
- f) Details of proposed means of dust suppression and noise mitigation.
- g) Details of measures to prevent mud from vehicles leaving the site during construction.
- h) Details of any site construction office, compound and ancillary facility buildings. These facilities shall be sited away from woodland areas.
- i) Lighting on site during construction.
- j) Measures to ensure no on-site fires during construction.
- k) Monitoring and review mechanisms.
- l) Details of the temporary surface water management measures to be provided during the construction phase.
- m) Timings of deliveries to the site (not to exceed the hours of construction as set out above);
- n) Details of mitigation measures for protected species to be applied; and,
- o) Appointment of a Construction Liaison Officer.

Reason: In the interests of residential amenity and protected species in accordance with policies S53 and S60 of the Central Lincolnshire Local Plan adopted 2023.

3. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e., preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework and policy S57 of the Central Lincolnshire Local Plan. This is due to the proximity of the site to the important Saxon and medieval settlement of Stow and previous geophysical surveys identifying several areas of potential archaeology.

4. No development shall take place until all access details have been submitted in full and approved in writing by the Local Planning Authority. The details shall include, but not be limited to:

- Elevation and section plan with exact measurements
- Materials and finishes.
- New and existing footpaths
- A methodology for the work, including safe storage and reuse of the materials

Reason: In the interests of the preservation of the conservation area in accordance with policy S57 of the Central Lincolnshire Local Plan adopted April 2023.

5. No development shall take place until details of all the boundaries to the application site including along the access road have been submitted to and approved in writing by the Local Planning Authority. This shall include a methodology for the safe maintenance and preservation of the stone walls. The approved details must be in place prior to occupation of any of the hereby approved dwellings.

Reason: In the interests of the preservation of the conservation area and to protect the privacy of neighbours in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan adopted April 2023

Conditions which apply or are to be observed during the course of the development:

6. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

Proposed Site Plan; Drawing No. P1-01

Plot 2 Floor Plan; Drawing No. A1-01, Plot 2 First Floor Plan Drawing No. A1-02, Plot 2 elevations drawing nos. A1-03 and A1-04.

Plot 3 Floor Plan drawing no. A1-01, Plot 3 First Floor Plan Drawing No. A1-02, Plot 3 elevations drawing nos. A1-03 and A1-04.

Plot 4 Floor Plan; Drawing No. A1-01, Plot 4 First Floor Plan Drawing No. A1-02, Plot 2 elevations drawing nos. A1-03 and A1-04.

Plot 5 Floor Plan drawing no. A1-01, Plot 5 First Floor Plan Drawing No. A1-02, Plot 3 elevations drawing nos. A1-03 and A1-04.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: In the interests of proper planning.

7. Prior to development above ground level external materials and finishing details shall be submitted to the local planning authority for written approval. These details will include all items already highlighted in the elevation drawings submitted in this application.

Reason: In the interests of the preservation of the conservation area and to ensure a satisfactory visual appearance in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan adopted April 2023

8. Prior to development above ground level a sample panel of the external wall stonework including the brick headers, shall be produced to show the wall type, size, colour, finish, mortar mix, joint thickness, and finish profile. This must be approved in writing before works commence and a sample panel shall remain on site for the duration of the work.

Reason: In the interests of the preservation of the conservation area and to ensure a satisfactory visual appearance in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan adopted April 2023

9. Prior to installation, all joinery details at a scale of 1:20 for the windows and doors shall be submitted in full and approved in writing by the Local Planning Authority. Work shall proceed in accordance with the details approved.

Reason: In the interests of the preservation of the conservation area and to ensure a satisfactory visual appearance in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan adopted April 2023

10. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 3 at least 14 days before the said commencement.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of

archaeological finds in accordance with the National Planning Policy Framework and policy S53 of the Central Lincolnshire Local Plan.

11. Following the archaeological site work referred to in condition 3 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and policy S53 of the Central Lincolnshire Local Plan

12. The report referred to in condition 11 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and policy S53 of the Central Lincolnshire Local Plan.

13. Prior to any works above ground level further details of the proposed means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details agreed shall be implemented in full prior to occupation of any dwellings.

Reason: To ensure a satisfactory means of drainage in accordance with policy S21 of the Central Lincolnshire Local Plan.

14. Prior to any works above ground level further details of the measures to enhance the biodiversity value of the site in accordance with the Ecological Appraisal prepared by Chris Barker dated 24th July 2023 shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to occupation of the dwellings. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the biodiversity value of the site in accordance with policies S60 and S61 of the Central Lincolnshire Local Plan adopted April 2023.

15. Work on site shall proceed in accordance with the Ecological Appraisal prepared by Chris Barker dated 24th July 2023

Reason. To protect biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan adopted April 2023.

Conditions which apply or relate to matters which are to be observed following completion of the development:

16. The development hereby permitted shall not be occupied before a frontage footway, to connect Forge Cottage to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

17. No part of the development hereby permitted shall be occupied (apart from those works identified on drawing number P1-01 or as specified) before the works to improve the public highway (by means of a tactile crossing from the existing footway to the newly constructed footway, across the new vehicular access, and a second tactile crossing from the newly constructed footway to the existing footway north of Church Street) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development